

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TRISTRATA TECHNOLOGY, INC., )

Plaintiff, )

v. )

C.A. NO. 04-1263-JJF

BEAUTY UNDERNEATH, ELLEN )

LANGE SKIN SCIENCE, INC., JAN )

MARINI SKIN RESEARCH INC., )

INTERNATIONAL SHIELD INC., )

COSMESEARCH, INC. )

SKINCEUTICALS, INC., )

DERMATOLOGIC COSMETIC )

LABORATORIES LTD. AND PERRI )

SKIN CARE, )

Defendants. )

**STIPULATION OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between Tristrata Technology, Inc. ("Tristrata") and Dermatologic Cosmetic Laboratories, Inc. ("Dermatologic"), through their respective undersigned counsel of record and subject to the approval of this Court that, pursuant to rule 41(a)(2) of the Federal Rules of Civil Procedure, all claims which Tristrata asserts against Dermatologic, and all counterclaims which Dermatologic asserts against Tristrata, are hereby dismissed.

Each party shall bear its own attorneys' fees and costs.

/s/ Arthur G. Connolly, III

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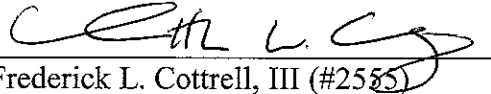
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Attorneys for Defendant

Dermatologic Cosmetic Laboratories Inc.

SO ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005

\_\_\_\_\_  
United States District Judge